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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,997	03/05/2002	Masayuki Oyagi	044499-0130	4453

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FOLEY AND LARDNER  
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3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

NGUYEN, TAI T

ART UNIT PAPER NUMBER

2632

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/087,997

Applicant(s)

OYAGI ET AL.

Examiner

Tai T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawings*

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-8, and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Saylor et al. (US 6,400,265).

**Regarding claim 1**, Saylor et al. disclose a security terminal (210, figure 2) for detecting an occurrence of an unusual situation and notifying a monitor device (240, 242, figure 2) comprising:

at least one detection element (212, 214, 216) for detecting the occurrence of the unusual situation (figure 2; col. 5, line 50 through col. 6, line 3); and

a notification element (222) for notifying the monitor device of the occurrence of the unusual situation when the occurrence of the unusual situation is detected by the detection element through a management device (130, figure 2; col. 5, lines 32-49).

**Regarding claim 3**, Saylor et al. disclose the use of a wireless connection to notify the management device of the occurrence of the unusual situation (figure 2).

**Regarding claim 4**, Saylor et al. disclose the security terminal (240) being mounted in a mobile device and further notifies the monitor device of the user identification (col. 7, lines 1-15).

**Regarding claim 5**, the claimed method would have been inherent in the product structure of as stated in claim 1 above.

**Regarding claim 6**, Saylor et al. disclose a security terminal (210, figure 2) for detecting an occurrence of an unusual situation and notifying a monitor device (240, 242, figure 2) comprising:

at least one detection element (212, 214, 216) for detecting the occurrence of the unusual situation (figure 2; col. 5, line 50 through col. 6, line 3); and

a notification element (222) for notifying the monitor device of the occurrence of the unusual situation when the occurrence of the unusual situation is detected by the detection element through a management device (130, figure 2; col. 5, lines 32-49).

additional notification means for notifying a plurality of security terminals (162(1) ... 162(n), col. 7, lines 45-65), a storage means (142) for storing a notice destination to

which information is sent when the unusual situation is detected by the first security terminal.

**Regarding claim 7**, Saylor et al. disclose the notification element (222) notifying the monitor device of the occurrence of the unusual situation when the occurrence of the unusual situation is detected by the detection element through a management device (130, figure 2; col. 5, lines 32-49).

**Regarding claim 8**, refer to claim 3 above.

**Regarding claim 10**, the claimed method would have been inherent in the product structure of as stated in claim 6 above.

**Regarding claim 11**, Saylor et al. disclose a security system (100, figure 1) comprising:

a plurality of security terminals (120, 122, 124) disposed in an area detecting occurrence of an unusual situation (col. 4, lines 18-30);

a monitor device (130) communicating with the plurality of security terminals, wherein each of the security terminals comprises: at least one detection element (212, 214, 216) for detecting the occurrence of the unusual situation (figure 2; col. 5, line 50 through col. 6, line 3); and

a notification element (222) for notifying the monitor device of the occurrence of the unusual situation when the occurrence of the unusual situation is detected by the detection element through a management device (130, figure 2; col. 5, lines 32-49);

a storage means (142) for storing a notice destination to which information is sent when the unusual situation is detected by the first security terminal

additional notification means for notifying a plurality of security terminals (162(1) ... 162(n), col. 7, lines 45-65), and further notification means for updating the associated user databases (figure 1; col. 7, lines 25-65).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saylor et al in view of Ozery (US 5,892,442).

**Regarding claim 2**, Saylor et al. disclose the instant claimed invention except for: a threatening element for threatening against the occurrence of the unusual situation operated on the basis of control by the monitor device. Ozery teaches a monitoring device (30) for a security terminal (12) being able to provide a warning authorized personnel and frighten away unauthorized intruders (col. 4, lines 55-60). It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the monitoring device design of Ozery with Saylor et al. for the purpose of protecting against unauthorized intruders.

**Regarding claim 9**, refer to claim 2 above.

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barber (US 6,255,953), Laud (US 4,772,876), and Rounds et al. (US 4,257,038).

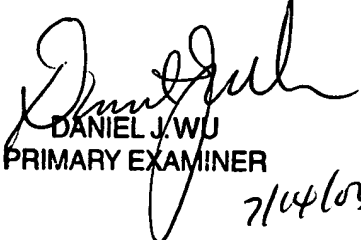
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (703) 308-0160. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached at (703) 308-6730. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3988 for regular communications and (703) 305-3988 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

July 12, 2003

Tai T. Nguyen  
Examiner  
Art Unit 2632

  
DANIEL J. WU  
PRIMARY EXAMINER  
7/14/03